

ASSEMBLY BILL

No. 954

Introduced by Assembly Member Coto

February 18, 2005

An act to amend Section 798.51 of the Civil Code, relating to mobilehomes.

LEGISLATIVE COUNSEL'S DIGEST

AB 954, as introduced, Coto. Mobilehome parks: meetings of homeowners.

Existing law prohibits mobilehome park rules from denying homeowners or residents in the park the right to meet in the park at reasonable hours and in a reasonable manner. Existing law prohibits the management of a mobilehome park from charging a homeowner or resident a cleaning deposit to use a recreation hall or clubhouse for meetings of resident organizations under specific circumstances. Existing law requires management, upon written request, to meet and consult with homeowners on certain matters.

This bill would prohibit management, or any employee or agent of the management from attending or monitoring a meeting of a homeowners' group or association unless requested by the group to be present.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 798.51 of the Civil Code is amended to
2 read:

1 798.51. (a) No provision contained in any mobilehome park
2 rental agreement, rule, or regulation shall deny or prohibit the
3 right of any homeowner or resident in the park to do any of the
4 following:

5 (1) Peacefully assemble or meet in the park, at reasonable
6 hours and in a reasonable manner, for any lawful purpose.
7 Meetings may be held in the park community or recreation hall
8 or clubhouse when the facility is not otherwise in use, and, with
9 the consent of the homeowner, in any mobilehome within the
10 park.

11 (2) Invite public officials, candidates for public office, or
12 representatives of mobilehome owner organizations to meet with
13 homeowners and residents and speak upon matters of public
14 interest, in accordance with Section 798.50.

15 (3) Canvass and petition homeowners and residents for
16 noncommercial purposes relating to mobilehome living, election
17 to public office, or the initiative, referendum, or recall processes,
18 at reasonable hours and in a reasonable manner, including the
19 distribution or circulation of information.

20 (b) A homeowner or resident may not be charged a cleaning
21 deposit in order to use the park recreation hall or clubhouse for
22 meetings of resident organizations for any of the purposes stated
23 in Section 798.50 and this section, whether or not guests or
24 visitors from outside the park are invited to attend the meeting, if
25 a homeowner or resident of the park is hosting the meeting and
26 all homeowners or residents of the park are allowed to attend.

27 (c) A homeowner or resident may not be required to obtain
28 liability insurance in order to use common area facilities for the
29 purposes specified in this section and Section 798.50. However,
30 if alcoholic beverages are to be served at any meeting or private
31 function, a liability insurance binder may be required by the park
32 ownership or management. The ownership or management of a
33 mobilehome park may prohibit the consumption of alcoholic
34 beverages in the park common area facilities if the terms of the
35 rental agreement or the rules and regulations of the park prohibit
36 it.

37 (d) A homeowner, organization, or group of homeowners
38 using a recreation hall or clubhouse pursuant to this section shall
39 be required to adhere to any limitations or restrictions regarding

1 vehicle parking or maximum occupancy for the clubhouse or
2 recreation hall.

3 (e) A homeowner or resident may not be prohibited from
4 displaying a political campaign sign relating to a candidate for
5 election to public office or to the initiative, referendum, or recall
6 process in the window or on the side of a manufactured home or
7 mobilehome, or within the site on which the home is located or
8 installed. The size of the face of a political sign may not exceed
9 six square feet, and the sign may not be displayed in excess of a
10 period of time from 90 days prior to an election to 15 days
11 following the election, unless a local ordinance within the
12 jurisdiction where the mobilehome park is located imposes a
13 more restrictive period of time for the display of such a sign.

14 (f) *Except when meeting pursuant to the requirements of*
15 *Section 798.53, management, or any employee or agent of the*
16 *management, shall not attend or monitor a meeting of a*
17 *homeowners' group or association unless requested by the group*
18 *to be present.*